

Handwritten mark



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/049,972 | 02/13/2002 | Michael W. Johnson | IREA0008 | 8947 |
| 28875 | 7590 | 01/27/2006 | EXAMINER | |
| Zilka-Kotab, PC P.O. BOX 721120 SAN JOSE, CA 95172-1120 | | | BATURAY, ALICIA | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2155 | |
| DATE MAILED: 01/27/2006 | | | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|-----------------|----------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/049,972 | JOHNSON ET AL. | |
| | Examiner | Art Unit | |
| | Alicia Baturay | 2155 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 January 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-59 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-59 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>02132002, 12282004, 08 052005, 11072005</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is in response to the after final amendment filed 03 January 2006.
2. Claims 1-59 are pending in this Office Action.

Response to Amendment

3. The rejection of claim 57 under 35 U.S.C. § 112, 1st paragraph regarding enablement remains outstanding.
4. The rejection of claim 57 under 35 U.S.C. § 112, 2nd paragraph regarding enablement remains outstanding.
5. Applicant's amendments and arguments with respect to claims 1-59 filed on 03 January 2006 have been fully considered but they are deemed to be moot in view of the new grounds of rejection.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

7. Claim 57 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The claim states "the

apparatus wherein said closure of said Internet permits an Internet connection.” It is unclear how an Internet connection can be opened if the Internet is closed.

8. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

9. Claim 57 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is unclear how an Internet connection can be opened if the Internet is closed.

Claim Rejections - 35 USC § 102

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

11. Claims 1-12, 18-38 and 44-57 are rejected under 35 U.S.C. 102(e) as being anticipated by Vaziri et al. (U.S. 6,377,570).

12. With respect to claim 1, Vaziri teaches an apparatus for a user to connect an Internet-ready device to the Internet by an Internet connection independent means, comprising:

At least two connection ports, where the first port connects to an Internet conduit, and the second port connects to the Internet-ready device (Vaziri, Fig. 4; col. 12, lines 1-6) capable of communicating utilizing Internet-related protocols (Vaziri, Figs. 12 and 13; col. 22, line 27 – col. 24, line 35); a user interface, allowing a user to initiate passing information between the Internet-ready device and the Internet (Vaziri, col. 3, lines 33-37), and having associated indicators to indicate to the user that the passing of information that was initiated by the user is complete (Vaziri, Fig. 3, elements 304, 306, 307 and 311; col. 11, lines 11-22); a protocol handler block for receiving and handling messages from the user interface and from the Internet-ready device (Vaziri, col. 17, line 57 - col. 18, line 33), and for sending on the handled messages to a network stack block (Vaziri, col. 13, 13-31); the network stack block for handling an associated subset of the handled messages, and sending on to a physical connection block (Vaziri, col. 14, line 55 - col. 15, line 2); and the physical connection block for connecting to the Internet (Vaziri, col. 12, lines 13-16).

13. With respect to claim 2, Vaziri teaches the invention described in claim 1, including where the indicators range from, but are not limited to, simple LED's to small LCD screens, cursor controls, and keyboards and/or keypads (Vaziri, col. 11, lines 11-22).

14. With respect to claim 3, Vaziri teaches the invention described in claim 1, including further comprising a standard telephone jack connection (Vaziri, Fig. 4; col. 12, lines 1-6).

15. With respect to claim 4, Vaziri teaches the invention described in claim 1, including where the physical connection block comprises a data modem (Vaziri, col. 12, lines 13-16).
16. With respect to claim 5, Vaziri teaches the invention described in claim 4, including where the data modem ranges from 2400 bps to 56 kbps, or where the data modem is an xDSL or cable modem (Vaziri, col. 12, lines 13-16).
17. With respect to claim 6, Vaziri teaches the invention described in claim 1, including where the network stack block handles all network, transport layer, and data link layer protocols needed for Internet connectivity (Vaziri, col. 14, line 55 - col. 15, line 2).
18. With respect to claim 7, Vaziri teaches the invention described in claim 1, including where the protocol handler provides any of the following application protocols: POP3, SMTP, HTTP, FTP, and DNS (Vaziri, col. 13, lines 13-25).
19. With respect to claim 8, Vaziri teaches the invention described in claim 1, including where the apparatus is built as a standalone device (Vaziri, Fig. 7A, element 100; col. 14, lines 39-41).
20. With respect to claim 9, Vaziri teaches the invention described in claim 1, including where the apparatus is built to be embedded into other devices (Vaziri, col. 3, lines 21-23).

21. With respect to claim 10, Vaziri teaches the invention described in claim 1, including where the data modem is a cable modem (Vaziri, col. 12, lines 13-16).
22. With respect to claim 11, Vaziri teaches the invention described in claim 1, including added easily to any of, but not limited to: set-top-boxes; Ethernet hubs; and hubs that are attached to new home networking standards (Vaziri, col. 3, lines 64-66).
23. With respect to claim 12, Vaziri teaches the invention described in claim 1, including where the connection between the Internet-ready device and the Internet is closed in that the user never intervenes to provide additional information (Vaziri, col. 3, lines 33-37).
24. With respect to claim 18, Vaziri teaches the invention described in claim 1, including where the initiating passing information between the Internet-ready device and the Internet is by the user pressing a button, thereby providing a one-touch operation (Vaziri, col. 3, lines 33-37).
25. With respect to claim 19, Vaziri teaches the invention described in claim 1, including further comprising raw socket support (Vaziri, col. 10, lines 9-13).
26. With respect to claim 20, Vaziri teaches the invention described in claim 19, including where the raw socket support further comprises any of, but is not limited to: support for

multiple sockets; ability to set target and source port numbers; and TCP or UDP transport layers (Vaziri, col. 10, lines 9-13).

27. With respect to claim 21, Vaziri teaches the invention described in claim 1, including where the protocol handler comprises a micro controller (Vaziri, col. 9, lines 13-19).

28. With respect to claim 22, Vaziri teaches the invention described in claim 21, including where the micro controller provides Base64 and/or quoted printable data decoding (Vaziri, col. 18, lines 24-33).

29. With respect to claim 23, Vaziri teaches the invention described in claim 21, including where the micro controller communicates directly with the Internet-ready device and with a raw socket (Vaziri, col. 10, lines 1-13).

30. With respect to claim 24, Vaziri teaches the invention described in claim 1, including further comprising multiple Internet-ready device connectors (Vaziri, Fig. 4; col. 12, lines 1-6).

31. With respect to claim 25, Vaziri teaches the invention described in claim 1, including further comprising auto BAUD rate detection for RS-232 type connections (Vaziri, col. 14, line 55 - col. 15, line 2).

32. With respect to claim 26, Vaziri teaches the invention described in claim 5, including further comprising a pass through port where an existing POTS appliance may be connected (Vaziri, Fig. 7A, element 211; col. 14, lines 39-41).
33. With respect to claim 56, Vaziri teaches the invention described in claim 1, including where the Internet-ready device is embedded into an Internet-capable telephone (Vaziri, col. 3, lines 21-23).
34. With respect to claim 57, Vaziri teaches the invention described in claim 12, including where the closure of the Internet permits an Internet connection only to a website specified by the Internet-ready device (Vaziri, col. 21, lines 28-56).
35. Claims 27-38 and 44-55 do not teach or define any new limitations above claims 1-12 and 18-26 and therefore are rejected for similar reasons.

Claim Rejections - 35 USC § 103

36. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2155

37. Claims 13-16 and 39-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vaziri and further in view of Himmel et al. (U.S. 6,480,852).

Vaziri teaches the invention substantially as claimed including an Internet switch box that connects between a telephone set and a public switched telephone network (PSTN) line for connection to an Internet service provider (ISP). The switch box contains hardware and embedded software for establishing a connection to an ISP and for Internet telephone (Vaziri, see Abstract).

38. With respect to claim 13, Vaziri teaches an apparatus for a user to connect an Internet-ready device to the Internet by an Internet connection independent means (Vaziri, Fig. 7B, element 100; col. 14, line 55 - col. 15, line 2).

Vaziri does not explicitly teach the use of a rating system.

However, Himmel teaches a rating system, where the Internet-ready device passes a rating level to the Internet, where only data not violating the rating level is passed back to the Internet-ready device (Himmel, col. 9, lines 28-66).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Vaziri in view of Himmel in order to enable the use of a rating system. One would be motivated to do so in order to facilitate selectively inhibiting access to or display of any Web page having a rating property value that is less than some user- or system-defined threshold.

Art Unit: 2155

39. With respect to claim 14, Vaziri teaches an apparatus for a user to connect an Internet-ready device to the Internet by an Internet connection independent means (Vaziri, Fig. 7B, element 100; col. 14, line 55 - col. 15, line 2).

Vaziri does not explicitly teach the use of a rating system.

However, Himmel teaches an apparatus further comprising security schemes to prevent accessing information of unauthorized sites (Himmel, col. 9, lines 28-66).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Vaziri in view of Himmel in order to enable the use of a rating system. One would be motivated to do so in order to facilitate selectively inhibiting access to or display of any Web page having a rating property value that is less than some user- or system-defined threshold.

40. With respect to claim 15, Vaziri teaches the invention described in claim 14, including a key code for passing from the Internet-ready device to the Internet, where a pre-agreed upon algorithm is used to generate a response, where the response is sent back to the Internet-ready device, thereby authenticating the Internet connection to the Internet-ready device (Vaziri, col. 14, line 55 - col. 15, line 2).

41. With respect to claim 16, Vaziri teaches the invention described in claim 15, including the apparatus used in reverse to prevent unauthorized Internet-ready devices from accessing a particular site (Vaziri, col. 14, line 55 - col. 15, line 2).

42. Claims 39-42 do not teach or define any new limitations above claims 13-16 and therefore are rejected for similar reasons.

43. Claims 17 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vaziri and Himmel and further in view of Martin et al. ("An Alternative to Government Regulation and Censorship: Content Advisory Systems for the Internet").

Vaziri teaches the invention substantially as claimed including an Internet switch box that connects between a telephone set and a public switched telephone network (PSTN) line for connection to an Internet service provider (ISP). The switch box contains hardware and embedded software for establishing a connection to an ISP and for Internet telephone (Vaziri, see Abstract).

44. With respect to claim 17, Vaziri teaches an apparatus for a user to connect an Internet-ready device to the Internet by an Internet connection independent means (Vaziri, Fig. 7B, element 100; col. 14, line 55 - col. 15, line 2).

Vaziri does not explicitly teach the use of a rating system.

However, Himmel teaches a rating system, where the Internet-ready device passes a rating level to the Internet, where only data not violating the rating level is passed back to the Internet-ready device (Himmel, col. 9, lines 28-66).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Vaziri in view of Himmel in order to enable the use of a rating system. One would be motivated to do so in order to facilitate selectively inhibiting access to or display of any Web page having a rating property value that is less than some user- or system-defined threshold.

The combination of Vaziri and Himmel does not explicitly teach the use of RSAC as a rating system.

However, Martin teaches the apparatus where the rating system is RSAC (Martin, page 2, 4th paragraph).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Vaziri and Himmel in view of Martin in order to enable the use of RSAC as a rating system. One would be motivated to do so in order to provide parents and consumers with objective, detailed information about the content of an Internet site.

45. Claims 43 does not teach or define any new limitations above claim 17 and therefore is rejected for similar reasons.

46. Claim 58 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vaziri and further in view of Sharpe, III et al. (U.S. 6,012,961).

Vaziri teaches the invention substantially as claimed including an Internet switch box that connects between a telephone set and a public switched telephone network (PSTN) line for connection to an Internet service provider (ISP). The switch box contains hardware and embedded software for establishing a connection to an ISP and for Internet telephone (Vaziri, see Abstract).

47. With respect to claim 58, Vaziri teaches an apparatus for a user to connect an Internet-ready device to the Internet by an Internet connection independent means (Vaziri, Fig. 7B, element 100; col. 14, line 55 - col. 15, line 2), comprising:

At least two connection ports, where the first port connects to an Internet conduit, and the second port connects to the Internet-ready device capable of communicating utilizing Internet-related protocols (Vaziri, Fig. 4; col. 12, lines 1-6); a user interface, allowing the user to initiate passing information between the Internet-ready device and the Internet (Vaziri, col. 3, lines 33-37), a protocol handler block for receiving and handling messages from the user interface and from the Internet-ready device (Vaziri, col. 17, line 57 - col. 18, line 33), and for sending on the handled messages to a network stack block (Vaziri, col. 13, 13-31); the network stack block for handling an associated subset of the handled messages, and sending on to a physical connection block (Vaziri, col. 14, line 55 - col. 15, line 2); and the physical connection block for connecting to the Internet (Vaziri, col. 12, lines 13-16).

Vaziri does not explicitly teach the use of a toy that produces sounds that can be updated.

However, Sharpe, III teaches the Internet-ready device includes a toy which emits sounds that are updated utilizing the Internet (Sharpe, III, col. 4, line 16 – col. 5, line 58).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Vaziri in view of Sharpe, III in order to enable the use of a toy that produces sounds that can be updated. One would be motivated to do so in order to renew the play value of the toy and extend the life of the toy beyond the original characteristics.

48. Claim 59 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vaziri and further in view of Reavey et al. (U.S. 5,847,698).

Vaziri teaches the invention substantially as claimed including an Internet switch box that connects between a telephone set and a public switched telephone network (PSTN) line for connection to an Internet service provider (ISP). The switch box contains hardware and embedded software for establishing a connection to an ISP and for Internet telephone (Vaziri, see Abstract).

49. With respect to claim 59, Vaziri teaches an apparatus for a user to connect an Internet-ready device to the Internet by an Internet connection independent means (Vaziri, Fig. 7B, element 100; col. 14, line 55 - col. 15, line 2), comprising:

At least two connection ports, where the first port connects to an Internet conduit, and the second port connects to the Internet-ready device capable of communicating utilizing Internet-related protocols (Vaziri, Fig. 4; col. 12, lines 1-6); a user interface, allowing the user to initiate passing information between the Internet-ready device and the Internet

(Vaziri, col. 3, lines 33-37), a protocol handler block for receiving and handling messages from the user interface and from the Internet-ready device (Vaziri, col. 17, line 57 - col. 18, line 33), and for sending on the handled messages to a network stack block (Vaziri, col. 13, 13-31); the network stack block for handling an associated subset of the handled messages, and sending on to a physical connection block (Vaziri, col. 14, line 55 - col. 15, line 2); and the physical connection block for connecting to the Internet (Vaziri, col. 12, lines 13-16).

Vaziri does not explicitly teach the use of an electronic book.

However, Reavey teaches an apparatus where the Internet-ready device includes an electronic book (Reavey, col. 7, line 63 – col. 8, line 36).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Vaziri in view of Reavey in order to enable the use of an electronic book. One would be motivated to do so in order to facilitate the downloading and storage of several books or periodicals.

Response to Arguments

50. Applicant's arguments filed 03 January 2006 have been fully considered, but they are not persuasive for the reasons set forth below.

51. ***Applicant Argues:*** Applicant states, "For example, to support the motivation for such combination, the Examiner simply argues that "[o]ne would be motivated to do so in order to facilitate recognition of the completion of a specific task." It is noted from such a statement, however, the Examiner fails to cite specific motivation in the above references to support the case for combining the same. The Examiner is reminded that the Federal Circuit requires that there must be some logical reason apparent from the evidence of record that would justify the combination or modification of references."

In Response: The examiner respectfully submits that Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

52. ***Applicant Argues:*** Applicant states, "Applicant respectfully asserts that the above excerpts from Vaziri simply relate to a telephone (item 211 of Figure 2B) that is not an "Internet-ready device," as claimed by applicant, since such device cannot connect to the Internet by itself."

In Response: The examiner respectfully submits Vaziri teaches Internet-ready device (a computer or data terminal – see Vaziri, Fig. 9, lines 908; col. 22, lines 30-31) capable of

communicating utilizing Internet-related protocols (the agent's computer has software to allow the agent to access, examine and program the customer's ISB...the software displays a window [that] has buttons to allow the agent to read the data stored in the customer's ISB...[and] save information about a customer's ISB to disk for future reference – see Vaziri, Fig. 9, element 906; col. 22, line 27 – col. 23, line 5). This renders the rejection proper, and thus rejection stands.

53. ***Applicant Argues:*** Applicant states, “that if the Examiner now relies on the PC of Vaziri to meet applicant's claimed “Internet-ready device,” the remaining claim elements are simply not met.” For example, with respect to the independent Claims 1 and 27, it is noted that there is no “protocol handler block for receiving and handling messages from” ... Vaziri's PC, and “for sending on said handled messages to a network stack block,” as specifically required by applicants claims. Still yet, there is no “user interface, allowing a user to initiate passing information between said” Vaziri's PC “and said Internet,” as claimed. Further, with respect to claim 52, there is no apparatus, as claimed, “embedded” in Vaziri's PC, as claimed.

In Response: The examiner respectfully submits that the preamble reads “an apparatus...to connect an Internet-ready device to the Internet...” The Examiner is interpreting this apparatus to be a separate entity (whether embedded or not) than the Internet-ready device. As such, the examiner interprets the claim limitations as describing functionality of this apparatus, not the Internet-ready device. The examiner respectfully submits that Vaziri teaches a protocol handler block for receiving and handling messages

from the user interface and from the Internet-ready device (the ISB connects to the ISP and then connects through ISP and Internet to SMTP server. The user can record a message and send it via the SMTP server to the recipient's e-mail address...if the recipient checks his e-mail on the POP server with a conventional email program such as Eudora, he will see such message[s] interspersed among conventional e-mail messages – see Vaziri, col. 17, line 57 - col. 18, line 33), and for sending on the handled messages to a network stack block (the ISB stores server information...the server information includes the IP address for various servers which the ISB needs to access...the domain names or IP addresses for the SMTP and POP servers for e-mail...the SMTP server implements the simple mail transfer protocol (SMTP) for sending e-mail, while the POP server implements the post office protocol (POP) for receiving e-mail – see Vaziri, col. 13, 13-31). Further, Vaziri teaches a user interface, allowing a user to initiate passing information between the Internet-ready device and the Internet (the user pressing a button (either on the ISB or the telephone keypad) to initiate the Internet telephone call – see Vaziri, col. 3, lines 33-37) and “the apparatus is embedded into the Internet-ready device” (an ISB is connected or integrated within the telephone - see Vaziri, col. 3, lines 21-23). This renders the rejection proper, and thus rejection stands.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia Baturay whose telephone number is (571) 272-3981. The examiner can normally be reached at 7:30am - 5pm, Monday - Thursday, and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Art Unit: 2155

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Alicia Baturay
January 18, 2006



SALEH NAJJAR
SUPERVISORY PATENT EXAMINER